

Florence, New Jersey 08518-2323
August 3, 2020

A regular meeting of the Florence Township Board of Adjustment was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ and remotely via Webex. Chairman Patel called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Secretary Lutz then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Brett Buddenbaum	Joseph Cartier
Larry Lutz	Anant Patel
Lou Sovak (remotely)	Margo Mattis
Dennis Puccio	Nick Haas

Absent: None

Also Present: Solicitor David Frank (remotely)
Engineer Dougherty (remotely)
Tom Sahol, Assistant Township Administrator

Planner Barbara Fegley was excused.

RESOLUTIONS

- A. Resolution ZB-2020-08: Approving application of Jason Van Lieu for bulk variance for impervious coverage to install an above-ground pool on property located at 4 Lilac Lane, Florence Township, Block 166.09, Lot 7.
- B. Resolution ZB-2020-09: Approving application of Komika Benjamin for bulk variance for impervious coverage to construct a shed on property located at 1013 W. Fourth Street, Florence Township, Block 3, Lot 18.
- C. Resolution ZB-2020-10: Approving application of Drew Ruffini for bulk variance for impervious coverage to construct a shed/garage on property located at 898 Grove Street, Florence Township, Block 92, Lots 1.01 & 3.01.

Solicitor Frank stated that since every member that was in attendance at last month's meeting was in attendance for tonight's meeting and that is the Board chose to do so, they could vote on all 3 resolutions as a whole. If there were any questions regarding a specific resolution, then should be voted on separately.

The Board Members decided to vote on all 3 resolutions as a whole.

It was the Motion of Mr. Lutz, seconded by Vice Chair Buddenbaum to approve Resolutions ZB-2020-08, ZB-2020-09 and ZB-2020-10.

Upon roll call, the Board voted as follows:

YEAS:	Lutz, Buddenbaum, Cartier, Mattis, Puccio, Sovak, Patel
NOES:	None
ABSENT:	None

MINUTES

It was the Motion of Mr. Lutz, seconded by Mr. Cartier to accept and file the minutes of the July 6, 2020 Regular Meeting. Motion unanimously approved by all members present.

CORRESPONDENCE

- A. Soil Erosion and Sediment Control Act for Foxdale Properties, LLC (IPT Railroad Logistics)
- B. Stout & Caldwell's letter regarding IPT Railroad Logistics Center, LLC (formerly Foxdale)
- C. Engineer Dougherty's Compliance Review No. 1 regarding 202 Foundry Street

It was the Motion of Mr. Lutz, seconded by Mr. Cartier to receive and file Items A – C. Motion unanimously approved by all members present.

NEW BUSINESS

- A. 2021 Meeting Schedule

It was the Motion of Vice Chair Buddenbaum, seconded by Mr. Puccio to accept the 2021 Meeting Schedule, specifically noting that for the July meeting, they would prefer it to be held on the second Thursday, July 8th. Motion unanimously approved by all members present.

APPLICATIONS

- A. ZB#2020-06: Application of Mitchell & Kathryn Pykosz for Bulk Variance for impervious coverage to install an in-ground pool on property located at 91 Wilbur Henry Drive, Florence Township. Block 54, Lot 7.

Mitchell & Kathryn Pykosz were sworn in by Solicitor Frank.

Mr. Pykosz explained they were applying for a bulk variance for impervious coverage of 36.1% to install a 12' x 24' in-ground pool at 91 Wilbur Henry Drive. He wanted to clarify that the correct size is 12' x 24' and apologized for the incorrect size noted on their survey. He stated when they were originally denied a zoning permit for a smaller pool, they decided that since they had to appear before the Board, they might as well ask for a larger sized pool. He stated that he and his wife are both partially disabled and their aqua therapy is a big help to them and this is their #1 reason for installing a pool. They have had a permitted temporary above-ground pool the past few years, but it has become difficult for them to get in and out of the pool using the ladder so they would like to have a permanent in-ground pool.

Mr. Pykosz also stated:

- they have no drainage issues
- they did not have any either while their temporary pool was installed
- the pool will be a lathem fiberglass pool with a 25 year warranty.
- There is approximately 2,000 sq. ft. of grass between them and their closed neighbor and an alley behind their house
- Their entire front yard and remaining back yard is all grass
- There are 4 drains in their yard for water to drain off their property toward the street; down Chestnut Street to the corner of 5th and Chestnut
- They do have future plans to removing some of the concrete from their driveway and had already removed 250 sq. ft. from their yard before applying for this variance. Chairman Patel asked if the concrete that had been removed was reflected on the survey submitted with their application. Mr. Pykosz stated that is correct.
- There is a 15' x 9' concrete pad under their gazebo. The gazebo does not have gutters.

Engineer Dougherty stated his review letter is dated 7/17/20. He stated his calculation for the impervious coverage came up slightly higher than what is requested. He calculated 36.7% impervious

coverage; existing is 31.6%, 25% is permitted and 36.7% is proposed. In order to install the pool they are proposing, the applicant should be seeking 36.7% impervious coverage. He stated the applicant answered all his concerns regarding to appearance, grading and drainage.

The Board told the applicant they did a great job with their presentation and providing all the information they needed.

Solicitor Frank stated this application is a request for a bulk variance for impervious lot coverage which falls under the C2 criteria, balancing the benefit to the community against the detriments. He asked the applicant to confirm there are similar improvements in their neighborhood. Mr. Pykosz stated there are. Solicitor Frank stated testimony was provided this is an amenity commonly in the neighborhood and there were no articulated drainage issues. The application has a valid basis.

It was the Motion of Mr. Lutz, seconded by Mr. Cartier to open the meeting for public comment. Motion unanimously approved by all members present.

Seeing no wishing to be heard, it was the Motion of Mr. Lutz, seconded by Vice Chair Buddenbaum to close public comment. Motion unanimously approved by all members present.

It was confirmed with the applicant they are revising their request for 36.7% impervious coverage instead of 36.1%. Mr. Pykosz stated that is correct.

It was the Motion of Ms. Mattis, seconded by Mr. Lutz to approve Application ZB#2020-06 as a C2 variance for 36.7% impervious coverage.

Upon roll call the Board voted as follows:

YEAS: Mattis, Lutz, Buddenbaum, Cartier, Puccio, Sovak, Patel

NOES: None

ABSTAIN: None

Motion carried

- B. ZB#2020-05: Application of Kenneth Norcross for Bulk Variance for impervious coverage to construct a single-story addition and deck on property located at 18 4th Avenue, Florence Township. Block 137, lot 27.

Vice Chair Buddenbaum recused himself from this application and left the meeting.

Kenneth Norcross of 18 4th Avenue came forward and stated the reason he was here tonight was for approval for a Bulk Variance for impervious coverage. They are looking to tear down the existing addition and patio and build a new expanded addition and deck. The reason is their existing addition is their kitchen and it is quite small. The proposed expanded addition will include their kitchen, a bathroom and a laundry room. The only bathroom is currently on the 2nd floor and the laundry is currently in the basement. Even though the proposed deck adds to the impervious coverage they are seeking, they will have proper drainage underneath the deck for the water to go into the ground itself. The drainage from the proposed new addition will be maintained as it is today, draining to the back of their yard.

Chair Patel mentioned that it looks like his attached neighbor has a similar addition. Mr. Norcross stated that is correct and this addition is keeping with what many homes already have in Roebling. He stated it will also be in the same style of their house with siding and windows. It is very common in his neighborhood.

Engineer Dougherty discussed his review letter dated 6/25/20. He stated this is similar to an application the Board heard last month for impervious coverage for this zone, 33% for a single-family detached unit. This is a duplex, or twin, which the township does not have a standard for, so we have

established to use the 33%. If this were considered a townhome, impervious coverage would be 70%. The applicant is seeking 54.9%; the existing impervious coverage is 45.8%. The bulk requirements were mentioned in his review letter and the applicant has addressed the issues raised in his letter. He agrees that it does appear to be consistent with the neighborhood. He stated the applicant's requests is not to change the living space much, just to expand it for better use. The architect did a great job with listing the materials and showing what the property will look like after completed. He added the applicant also testified to the drainage, so the comments in his letter have been satisfied.

Solicitor Frank stated this is an application for a bulk variance for impervious coverage, very similar to the type of standard to which we had in the prior application. He stated this also falls under the C2 criteria, generally creating amenities that are consistent with the neighborhood and balancing the benefit to the community against the detriments. The applicant has provided testimony this is an amenity common to the neighborhood, it will match the existing house and there were no articulated drainage issues.

Clerk Federico stated that Mr. Norcross had met with the Historic Preservation Commission immediately prior to this meeting. Mr. Norcross stated he did receive a letter of approval from them and handed it to Clerk Federico for his file.

Mr. Puccio stated the addition Mr. Norcross wants to have looks like it will extend past the existing addition on his neighbors house and asked if he sees any issues with runoff from his roof affecting his neighbor's property. Mr. Norcross stated he does not foresee any issues as his architect factored that in when designing the addition and it will be mitigated. He stated there is a downspout that the rain-off will flow to which travels down the middle of his and his neighbor's addition.

It was the Motion of Mr. Lutz, seconded by Mr. Cartier to open the meeting for public comment. Motion unanimously approved by all members present.

Seeing no wishing to be heard, it was the Motion of Mr. Lutz, seconded by Ms. Mattis to close public comment. Motion unanimously approved by all members present.

It was the Motion of Ms. Mattis, seconded by Mr. Lutz to approve Application ZB#2020-05 as a C2 variance with 54.9% impervious coverage.

Upon roll call the Board voted as follows:

YEAS: Mattis, Lutz, Cartier, Puccio, Sovak, Patel, Haas

NOES: None

ABSTAIN: Buddenbaum (recused)

Motion carried

OTHER BUSINESS

Mr. Lutz mentioned the Board is still without an Alternate #2 member of the Board. Clerk Federico stated she will mention it to the Township Clerk so that Township Council can be reminded.

Clerk Federico mentioned that Tom Sahol handed in a letter of resignation to take the position as Administrator with another municipality. August 28th will be his last day with Florence Township. The Board wished him well and told him he will be missed.

PUBLIC COMMENT

It was the Motion of Mr. Lutz, seconded by Mr. Haas to open the meeting for public comment. Motion unanimously approved by all members present.

Information regarding how to virtually attend this meeting has been provided in a published notice as well as listed on the township website. Mr. Sahol noted that there were no members of the public

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attending virtually. It was also noted that there were no members of the public physically in attendance.

It was the Motion of Mr. Lutz, seconded by Mr. Cartier to close public comment. Motion unanimously approved by all members present.

ADJOURNMENT

It was the Motion of Mr. Lutz, seconded by Ms. Mattis to adjourn the meeting at 8:10 p.m. Motion unanimously approved by all those present.

Larry Lutz, Secretary

/kf